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12 *Attorneys for Lead Plaintiff*

14 **UNITED STATES DISTRICT COURT**

15 **NORTHERN DISTRICT OF CALIFORNIA**

16 \_\_\_\_\_  
17 IN RE LUMINENT MORTGAGE CAPITAL, INC. )  
SECURITIES LITIGATION, )

No. C07-4073 PJH

18 ) **STIPULATION AND [PROPOSED]**  
19 ) **ORDER REGARDING FILING OF**  
20 ) **CONSOLIDATED COMPLAINT**  
21 ) **AND BRIEFING SCHEDULE**

19 This Document Relates To:

20 ALL ACTIONS.  
21 \_\_\_\_\_

22  
23 This Stipulation is entered into by and among Lead Plaintiff The Southern Improvement  
24 Company, VSA, Inc. and Allen Dayton (collectively "Southern"), and defendants Luminent  
25 Mortgage Capital, Inc. ("Luminent") and certain Luminent officers and/or directors, by and through  
26 their respective attorneys of record.  
27  
28

1 WHEREAS, on October 10, 2007, the Court issued an order in which it, *inter alia*,  
2 consolidated the related class action cases; directed the filing of a consolidated complaint within  
3 60 days after the filing of the court's order designating the Lead Plaintiff, unless otherwise agreed  
4 upon by the parties; and set a tentative schedule for defendants' response to the Complaint.

5 WHEREAS, on November 21, 2007, the Court appointed Southern as the Lead Plaintiff;

6 WHEREAS, counsel for the parties have conferred regarding the schedule for filing the  
7 Complaint and defendants' response thereto; and hereby stipulate, and request the court to order,  
8 as follows:

9 1. Lead Plaintiff shall file and serve the consolidated complaint on or before February  
10 15, 2008.

11 2. Defendants shall file and serve their response(s) within 45 days after filing and  
12 service of the consolidated complaint.

13 3. Lead Plaintiff will file and serve its opposition within 45 days after filing and service  
14 of the motion to dismiss.

15 4. Defendants will file and serve their reply within 21 days after filing and service of  
16 the opposition.

17 IT IS SO STIPULATED.

18  
19 Dated: January 2, 2008

RICHARD W. COHEN  
DAVID C. HARRISON  
LOWEY DANNENBERG BEMPORAD  
SELINGER & COHEN, P.C.

22 /s/ David C. Harrison  
23 DAVID C. HARRISON

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*Counsel for Lead Plaintiff*

1 Dated: January 2, 2008

JOSEPH J. TABACCO, JR.  
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4 /s/ Nicole Lavallee  
NICOLE LAVALLEE

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*Local Counsel*

9 Dated: January 2, 2008

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DANIEL J. DUNNE  
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12 /s/ Michael Rugen  
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*Counsel for Defendants*

18 I, Nicole Lavallee, am the ECF User whose ID and password are being used to file this  
19 Stipulation and [Proposed] Order Regarding Filing of Consolidated Complaint and Briefing  
20 Schedule. In compliance with General Order 45, X.B., I hereby attest that David C. Harrison  
21 and Michael Rugen, have concurred in this filing.

22 \* \* \*

23 **ORDER**

24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 DATED: \_\_\_\_\_

26 THE HONORABLE PHYLLIS J. HAMILTON  
27 UNITED STATES DISTRICT JUDGE  
28